IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 28TH NOVEMBER 2006 / 7TH AGRAHAYANA 1928

Crl.MC.No. 3872 of 2006()

AGAINST THE JUDGEMENT/ORDER IN BA.5381/2006 Dated 12/09/2006
CRIME NO.167/06 OF IRITTY POLICE STATION.

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PETITIONER:

P.K.VALSAN @ VALSAN THILIANGERY,
AGED 42 YEARS, S/O.KOYYOTH BALAN,
THILIANGERY AMSOM, CHALAPARAMBU DESOM,
THALASSERY TALUK.

BY ADV. SRI.P.S.SREEDHARAN PILLAI
SMT.C.G.PREETHA

RESPONDENTS:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.PUZHAKKARA MUHAMMED.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 28/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 3872 OF 2006

Dated this the 28th day of November, 2006

ORDER

The petitioner, who faces the allegation under Sec.302 of the IPC and who has been enlarged on bail as per the order dated 12/9/2006 subject to certain conditions, prays that the condition imposed on him that he should not enter the Sessions Division of Thalassery may be relaxed for the period from 25/11/2006 to 2/12/2006.

2. Notice was given to the learned Public Prosecutor. The learned Public Prosecutor opposes the application vehemently. He submits that a tense situation prevails in the locality and the relaxation of the condition would endanger the peace and order in the locality. The learned Public Prosecutor further points out that already an application has been filed before the learned Magistrate complaining about the violation of the condition by the petitioner. In these circumstances, it is prayed that the condition may not be relaxed.

3. Called upon to explain the necessity which obliges the petitioner to seek relaxation of the condition, the learned counsel for the petitioner submits that an annual week long festival which takes place in the parallel college of which he is the Principal is to take place during this period. Admittedly, it is an annual recurring event and I am not satisfied, in the facts and circumstances of this case, that the condition deserves to be relaxed.

4. This Crl.M.C. is, in these circumstances, dismissed.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge